

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NABI WAHAB,

Plaintiff,

-against-

MARK OLEARY and VALIANT CONTRACTING, LLC,

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 1/26/2021

1:19-cv-09478-MKV

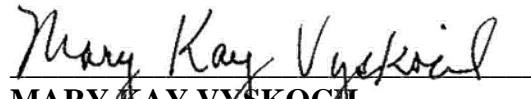
ORDER OF DISMISSAL

MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter from the parties informing the Court that the parties have reached a settlement in principle [ECF No. 26]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if a settlement agreement has not been executed if the application to restore the action is made by **February 25, 2020**. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004).

**SO ORDERED.**

**Date: January 26, 2021**  
**New York, NY**

  
**MARY KAY VYSKOCIL**  
**United States District Judge**